



PATENT  
22221/1120 (RU 339)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|            |   |   |   |           |
|------------|---|---|---|-----------|
| Applicant  | : | O'Donnell et al.  | ) | Examiner: |
| Serial No. | : | 10/671,859  | ) |           |
| Cnfrm. No. | : | 8720  | ) | Art Unit: |
| Filed      | : | September 26, 2003  | ) |           |
| For        | : | BACILLUS STEAROTHERMOPHILUS TAU,<br>DELTA, AND DELTA PRIME POLYMERASE<br>SUBUNITS AND USE THEREOF | ) |           |

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**PRELIMINARY AMENDMENT**

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the November 19, 2003, Notice to File Corrected Application Papers, please amend the application as set forth herein.

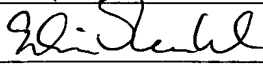
**Amendments to the Specification** begin on page 2 of this paper.

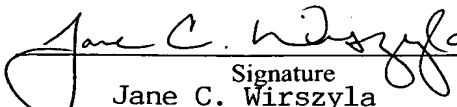
**Remarks** begin on page 3 of this paper.



|   |   |                        |                     |
|---|---|------------------------|---------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) |   | Application Number     | 10/671,859          |
|   |   | Filing Date            | September 26, 2003  |
|   |   | First Named Inventor   | O'Donnell et al.    |
|   |   | Group Art Unit         |                     |
|   |   | Examiner Name          |                     |
| Total Number of Pages in This Submission  | 5 | Attorney Docket Number | 22221/1120 (RU 339) |

| ENCLOSURES (check all that apply)  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Preliminary Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> A copy of the Notice to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Declaration and Power of Attorney<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Application Data Sheet<br><input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures<br><input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt<br><input checked="" type="checkbox"/> A copy of the Notice to File Corrected Application Papers |
| Remarks  |   | <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | Edwin V. Merkel<br>Nixon Peabody LLP<br>Clinton Square, P.O. Box 31051<br>Rochester, New York 14603-1051<br>Telephone: (585) 263-1128<br>Fax: (585) 263-1600 |
| Signature                                  |  Registration No. 40,087  |
| Date                                       | December 2, 2003   |

| CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]  |  |
|---|--|
| I hereby certify that this correspondence is being:   |  |
| <input checked="" type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 |  |
| <input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____   |  |
| 12/2/03<br>Date   | <br>Signature<br>Jane C. Wirszyła<br>Typed or printed name |